THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.3372 OF 2007

DATED: 05-09-2007

BETWEEN

Abdul Basith Khan,
S/o. Mohd. Subhan,
Occ: Muthawalli,
R/o. Medapally Kalan Village,
Pudur Mandal,
Ranga Reddy District.

...PETITIONER

AND

The District Collector,
Ranga Reddy District,
Khairatabad,
Hyderabad and another.

...RESPONDENTS

ORDER:

Petitioner submits that he is Muthawalli of Ashoorkhana Chilla Mahboob Subhani, Graveryard and property admeasuring 8.18 acres in Sy.No.48 of Medapally Village, belonging to Wakf and that he filed a petition dated 29.04.2002 before the Revenue Divisional Officer, Vikarabad - second respondent to mutate his name in the place of his mother – Ahmed Bee, who was the earlier Muthawalli, in respect of the Inam property.

2. Learned Government Pleader appearing for the respondents submits that pursuant to the said application the second respondent issued a notice dated 31.12.2005 fixing the date of enquiry on 07.01.2006 but as on that date the petitioner did not appear, therefore, the enquiry has been adjourned. On the other hand,

the learned counsel for the petitioner submits that the said notice was not at all served on the petitioner therefore he could not appear.

3. I am not inclined to express any opinion, as admittedly it is stated that an enquiry on the file of the second respondent in File No.D/1715/2003 is pending disposal of the representation of the petitioner.

Having regard to the facts and circumstances of the case, the writ petition is disposed of directing the second respondent to conduct an enquiry and take appropriate final action in the pending File No.D/1725/2003 and dispose the same in accordance with law as expeditiously as possible without any undue delay. There shall be no order as to costs.

_____

V. ESWARAIAH, J

September 5, 2007
DSK